

An ordinance regulating the fire department of the City of Lodi and to provide for better protection against fires therein.

The Board of Trustees of the City of Lodi do ordain as follows:-

Section 1.- The fire department of this city shall consist of volunteer companies of firemen organized into engine, hose and hook-and-ladder companies who shall perfect their own Organization and elect their own officers.

Section 2.- The chief of the fire department and his assistants, shall be elected annually by the members of the department, with the approval of the Board of Trustees, and shall give such bond as the Board of Trustees may require. *ale*

Section 3.- The chief of the fire department and his assistants, by seniority, in his absence, shall have power, and it is his duty, to take charge of all fires which occur in this city, and direct the management of all fire companies therein in the extinguishment of the same, and to establish a cordon around the same so as to prevent the interference of crowds and the idle and unnecessary persons at all fires. He shall have full control and general supervision of all fire apparatus at all times, inspect all hydrants and order drills of the firemen at such times as he may see proper. He must inquire into the cause of every fire occurring in the city, and keep a record of the same, and make a report thereof once in every three months to the Board of Trustees. He must aid in the enforcement of all fire ordinances, report violations of ordinances relating to prevention or extinguishment of fires, and perform such other duties as may be by proper authority imposed on him. His compensation shall be fixed and paid by the city authorities. Provided that when no stated salary is fixed by the Board of Trustees all necessary expenses incurred by the chief of the fire department in the proper care and inspection of the fire property of the city shall be a charge against the City and shall be paid out of the general fund. *for Dr*

Section 4.- Any person interfering with the chief of the fire department, his assistants or ~~any~~ firemen while in the lawful performance of ~~his duties~~ their duty, or who refuses or neglects to obey all lawful orders or requirements of the chief or his assistants, is guilty of a misdemeanor, and-upon conviction thereof, shall be punished by a fine of not more than \$60 or by imprisonment in the city or county prison for not more than ten days, or by both such fine and imprisonment.

Repealed &
Ord # 84

Section 6.- No building or structure of whatsoever kind or nature shall be placed or erected within the City of Lodi, nor shall any building or structure now situate within said city be altered or moved from its present location to any other location within said city without a written permit from the ^{Board of} ~~the~~ Trustees of said city. Nor shall the said Board-of Trustees consider any application for such permit unless such application be in writing and signed by the person seeking to alter, erect, place or move such building or structure or by the agent of such person, and such applicant furnish, accompanying said written application, a statement giving the proposed location of, and a description of the kind of building or structure sought to be erected, altered, moved or placed therein, the kind of material to be used, finish and all other particulars as to the same. The Board of Trustees may grant or refuse such permit as in their judgment-the best interests of the city may require, but in case an application for a permit is refused the Board of Trustees must furnish the applicant with a written statement giving the reasons for said refusal.

Section 6.- Whenever in the opinion of the chief of the fire department and a committee from the Board of Trustees appointed for that purpose, any building, wall, chimney or smokestack, or other appurtenance to a building, shall, from any cause whatever, be in a condition dangerous to persons or property, or when any wooden buildings within the ^{City of Lodi} ~~fire limits~~ shall, in the judgment of said officials, be damaged by fire or decay to the extent of forty (40) per cent, of its actual value, to be estimated above line of sidewalk in front of said building the said officers

shall immediately give notice, pointing out the defects, and requiring reparation thereof, to the owner or owners of said building, wall, chimney, smokestack or other appurtenances to a building, shed or fence, or to his, her, or their agent, or the person having control thereof; and the person receiving such notice shall, within forty-eight hours after receiving the same, comply with the requirements thereof, and each day's failure so to comply shall be a misdemeanor. In the event of a dispute as to the amount of damage caused by a fire, between the owner and the above named officers, such dispute shall be determined by arbitration of competent mechanics, the owner to select one arbitrator, the above named committee and officer the other, and in case the arbitrators can not agree they shall select a third and the decision of the majority shall be final and conclusive. All expenses of the arbitration shall be paid by the owner.

Section 7.- All aisles and passage-ways in buildings used for public assemblages shall be free from camp stools, chairs, benches, sofas, or other obstructions during any performance, service, exhibition, lecture, concert, ball, or other public assemblage whatever, and the chief of the fire department shall have free access to any building during such assemblage, performance, service, exhibition, lecture, concert, ball, or other public assemblage. *Revised 1898*

Section 8.- All stove-pipes and chimneys within the corporate limits of this city shall be carried up at least three feet above the roof of the part of the building to which said pipe or chimney is attached, and should they be so located as to be unsafe to the buildings adjoining, they shall be carried at least three feet above extreme top of said buildings. And no stove pipe shall be placed nearer than six inches ~~xxxxx~~ to the side of the building to which it is attached or to the adjoining building. When stoves are used the pipes of same shall be inserted in brick or stone flues, and all owners or occupants of all buildings in which there is a stove pipe, within said corporate limits, shall, when notified by the city marshal or fire marshal, comply with the above provisions, and also replace a bad or defective stove pipe with a new one when so ordered.

Section 9.- No hay or straw, except in quantities required for ordinary business, shall be stored in any portion of this city unless enclosed and under secure cover; provided, that this section may be suspended by a permit from the Board of Trustees.

Section 10.- Every house, building or other structure, removed or erected or altered in violation of this ordinance, shall be deemed and is hereby declared to be a public nuisance, and shall be abated as such. The city marshal is hereby authorized to remove any such house or other structure at the expense of the person so offending.

Section 11.- It shall be the duty of the chiefs of the fire department or city marshal to notify any owner or occupant of any lot or premises to remove therefrom any rubbish or combustible material likely to become easily ignited, from such lot or premises, and in case such owner or occupant fails to do so within two days thereafter, the chief of the fire department or city marshal shall remove the same at the expense of such owner or occupant, and shall collect such expenses if not paid on demand, by suit therefore in the name of this city, in the Recorder's Court, together with a penalty of \$10, to be paid into the general fund of the city.

Section 12.- It is unlawful for any person to store any powder, dynamite, giant powder, cartridges, blasting powder, fuminating powder, gun cotton, fire works, Greek fire, or explosive substances in any form, or other dangerous or combustible material, within the limits of the City of Lodi, without the written permit of the Board of Trustees of such city designating the locality where the same may be stored; provided, nothing herein shall prevent any such person storing at the place of sale not exceeding seventy-five pounds of gun or blasting powder at any one time.

Section 13.- It is unlawful for any person to store any gasoline, kerosene, petroleum, benzine, ether, naptha or coal oil, within the limits of the City of Lodi, without the written permit of the Board of Trustees of such city, who

Repealed by Ordinance # 168

Repealed by Ordinance # 168

shall designate the locality where the same may be stored; provided, nothing herein shall prevent any such person storing at the place of sale not more than two hundred gallons, collectively, of all the combustible materials in this section enumerated, and provided same, when so stored, shall be drawn by daylight or at a distance of not less than ten feet from artificial light.

Section 14.- Any person, firm or corporation violating any of the provisions of this ordinance, for which violation a penalty is not already fixed therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars, or by imprisonment in the city or county prison not to exceed three months, or by both such fine and imprisonment.

Section 15.- This ordinance shall be in force ~~and~~ from and after its passage and approval and publication.

Section 16.- This ordinance shall be published by *printing and posting the same in at least three public places in the city of Lodi.*

Section

Passed at an adjourned regular meeting this *22nd* day of April, 1907. by the following vote.

Ayes: *Villinger, Rich, Blodgett and Hall*

Noes: *None*

Approved this *22nd* day of April, 1907.

G. E. Lawrence
President of the Board of Trustees
of the City of Lodi.

Attest:

J. M. Marnahan
City Clerk.

Ordinance No. 21

Read and filed at a regular meeting, April
15th, 1907.

By motion laid on the table for not less than five days
or until the next regular or adjourned regular meeting of
the Board.

Second reading and passage April 22nd, 1907.

Published by posting April 23rd, 1907.

J. M. Mahon
City Clerk.